

**CHRISTOPHER M. SMITH,** )  
 )  
 **Plaintiff,** )  
 ) **Civil Action No. 7:12cv247**  
 **v.** )  
 )  
 ) **By: Michael F. Urbanski**  
 **CAROLYN W. COLVIN,** ) **United States District Judge**  
 **Commissioner of Social Security,** )  
 )  
 **Defendant.** )

1. The August 14, 2013 report and recommendation (Dkt. # 22) is **ADOPTED** in its entirety;
2. Plaintiff's motion for summary judgment (Dkt. # 14) is **GRANTED in part**;
3. The Commissioner's motion for summary judgment (Dkt. # 17) is **DENIED**;
4. This case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the report and recommendation; and
5. This matter is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order to all counsel of record.

Entered: August 29, 2013

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge